

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**


KEITH OWENS,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 3:23-cv-800-HEH
)	
CHADWICK DOTSON,)	
)	
Respondent.)	

**MEMORANDUM OPINION
(Dismissing 28 U.S.C § 2254 Petition Without Prejudice)**

Petitioner Keith Owens ("Petitioner"), proceeding *pro se*, submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (ECF No. 1). By Memorandum Order entered on November 30, 2023 (ECF No. 3), the Court directed Petitioner to complete and return, within thirty (30) days of the date of entry thereof, an affidavit in support of his request to proceed *in forma pauperis* or pay the \$5.00 filing fee. More than thirty (30) days have passed and Petitioner has not returned the required *in forma pauperis* affidavit. Petitioner also has failed to pay the assessed fee or adequately explain any special circumstances warranting excuse from payment. Accordingly, the § 2254 petition (ECF No. 1) will be dismissed without prejudice.

A certificate of appealability will be denied.

An appropriate order will accompany this Memorandum Opinion.



/s/
Henry E. Hudson
Senior United States District Judge

Date: Jan. 9, 2024
Richmond, Virginia